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SPECIAL COMMITTEE ON ENHANCING THE EFFECTIVENESS OF THE PRINCIPLE OF NON-USE OF FORCE IN INTERNATIONAL RELATIONS

SUMMARY RECORD OF THE 14th MEETING

Held at Headquarters, New York,
on Friday, 15 September 1978, at 10.30 a.m.

Chairman: Mr. CUEVAS CANCINO (Mexico)

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Adoption of the report

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The meeting was called to order at 11.05 a.m.

ADOPTION OF THE REPORT (A/AC.193/L.4 and Add.1, A/AC.193/L.5)

1. The CHAIRMAN suggested that delegations should be given more time for informal consultations.

2. It was so decided.

3. The meeting was suspended at 11.10 a.m. and resumed at 12.40 p.m.

Part I (A/AC.193/L.4)

4. The CHAIRMAN said that in the course of consultations an additional paragraph had been agreed upon for insertion as paragraph 11 of part I.

5. Mr. ROMANOV (Secretary of the Committee) said that the new paragraph would read:

> "Since the Committee had not completed its work, it recognized the desirability of further consideration of the questions before it. Many delegations supported the continuation of the Committee's work and stressed the importance of the issues. On the other side, there were many delegations which took the position that renewal of the mandate was a matter falling within the competence of the General Assembly."

6. Mr. KOSTOV (Bulgaria) said that, since a compromise solution had been found, he would not press for a vote on draft resolution A/AC.193/L.5.

7. Mr. ROSENSTOCK (United States of America) said, with reference to paragraph 8 of document A/AC.193/L.4, that the annexation of the Soviet Union's "Draft World Treaty on the Non-Use of Force in International Relations" (A/AC.193/L.3) to the Committee's report was contrary to General Assembly resolution 2836 (XXVI) on publications and documentation, especially since the text in question had also been issued under the symbol A/31/243. He suggested that the Committee should abide by the resolutions of the General Assembly.

8. Mr. KOLESNIK (Union of Soviet Socialist Republics) said that, since document A/AC.193/L.3 was the only draft agreement submitted to the Special Committee so far, his delegation insisted that it should appear as part of the Committee's report, following the precedent set by the practice of other special committees in reports prepared after the adoption of the General Assembly resolution referred to by the United States representative. The Sixth Committee must be given a clear picture of the Special Committee's work and of the material which the Special Committee had had before it.

9. Mr. ROSENSTOCK (United States of America) said that he would not press for a vote on the matter. However, his Government believed in the sovereign equality of

(Mr. Rosenstock, United States)

all States. In 1977 the question had arisen of annexing document A/AC.182/L.12/Rev.1 to the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization. Citing General Assembly resolution 2836 (XXVI), the Soviet Union had protested against the annexation of that document to the report, since that would be a violation of a legally binding General Assembly resolution. The Soviet Union had pushed the matter to a vote, and his own delegation had voted in favour of not annexing the document to the report. All documents should receive equal treatment. He hoped that the inconsistency shown by the Soviet delegation merely reflected passing opportunism and not a disbelief in the sovereign equality of all States.

10. Mrs. D'HAUSSY (France) said that the French text of paragraph 10 did not coincide exactly with the English text. It was a question of translation: she trusted that the French text would be brought into line with the English text.

11. Part I (A/AC.193/L.4), as amended, was adopted.

Part II (A/AC.193/L.4/Add.1)

Paragraphs 1 to 7

12. Paragraphs 1 to 7 were adopted.

Paragraphs 8 to 28

13. Mrs. D'HAUSSY (France) said that paragraphs 15 to 18 did not adequately reflect the views expressed by her delegation. Two essential points in particular had been omitted. Firstly, formulations such as those in the Charter were always preferable to texts drafted on the basis of the concerns of the moment, and, secondly, her delegation was not convinced that drafting a new treaty was the best approach, because it would be a useless exercise if it merely reiterated the provisions of the Charter and if, on the other hand, it introduced new elements that were not in the existing provisions, that would be tantamount to revision of the Charter.

14. Mr. HOUNGAVOU (Benin) proposed that, in order to reflect adequately statements by his own delegation and others, the words "the use of mercenaries," should be inserted in the second sentence of paragraph 21, after the words "covert attempts to destabilize Governments,".

15. It was so decided.

16. Paragraphs 8 to 28, as amended, were adopted.

Paragraphs 29 to 69

17. Paragraphs 29 to 69 were adopted.

18. Part II (A/AC.193/L.4/Add.1), as amended, was adopted.

19. The report (A/AC.193/L.4 and Add.1) as a whole, as amended, was adopted.

20. Mr. FIFOOT (United Kingdom) said his delegation doubted whether the Special Committee was the appropriate forum for the discussion of a number of very serious issues which had been touched on in the debate. His delegation would revert to that question during the discussion in the Sixth Committee of the General Assembly. As had been pointed out in the report of the Secretary-General (A/33/1), the procedures of the United Nations might have the effect of overloading the absorptive capacity of Governments, numbing public interest in vital subjects and substituting formal and, sometimes, rhetorical exchanges for action.

21. Mrs. D'HAUSSY (France) said her delegation shared the view of those who felt that it was for the General Assembly to evaluate the results of the Special Committee's work and decide whether or not to renew its mandate.

22. After an exchange of courtesies, the CHAIRMAN declared the session closed.

The meeting rose at 1.30 p.m.